Senate File 52 - Introduced

SENATE FILE 52 BY WHITING

A BILL FOR

- 1 An Act relating to the assessment of fees when a public
- 2 defender or designee requests copies of certain documents.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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- 1 Section 1. <u>NEW SECTION</u>. **815.16** Fees for requests for copies 2 of documents.
- 3 1. As used in this section:
- 4 a. "Agency" means the judicial branch, a state department or
- 5 agency, the office of a county attorney, a criminal or juvenile
- 6 justice agency, or a political subdivision of the state.
- 7 b. "Document" includes but is not limited to a copy of the 8 following:
- 9 (1) Police reports.
- 10 (2) Photographs.
- 11 (3) Grand jury transcripts.
- 12 (4) Audiotapes.
- 13 (5) Videotapes.
- 14 (6) Transcripts of audiotapes or videotapes.
- 15 (7) Audio or video files on storage systems, including
- 16 but not limited to disk, tape, optical, and other structured
- 17 repositories for storing digital information.
- 18 (8) Transcripts of audio or video files on storage systems.
- 19 (9) Reports prepared by the department of human services.
- 20 2. An agency shall furnish copies of any document in the
- 21 possession of the agency, at no cost, upon request of the state
- 22 public defender, a public defender office, or an attorney
- 23 or nonprofit legal organization appointed by the court as a
- 24 designee of the state public defender, if the document is
- 25 relevant to an investigation or legal representation being
- 26 conducted by the state public defender, a public defender
- 27 office, or an attorney or nonprofit legal organization
- 28 appointed by the court as a designee of the state public
- 29 defender. When a document is provided on a storage system, the
- 30 agency shall, upon request, include the software necessary to
- 31 access the storage system.
- 32 EXPLANATION
- 33 The inclusion of this explanation does not constitute agreement with 34 the explanation's substance by the members of the general assembly.
- 35 This bill relates to the assessment of fees when a public

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- 1 defender or designee requests copies of certain documents.
- 2 The bill defines "agency" to mean the judicial branch, a
- 3 state department or agency, the office of a county attorney, a
- 4 criminal or juvenile justice agency, or a political subdivision
- 5 of the state.
- 6 The bill requires that an agency furnish copies of any
- 7 document in the possession of the agency, at no cost, upon
- 8 request of the state public defender, a public defender office,
- 9 or an attorney or nonprofit legal organization appointed by the
- 10 court as a designee of the state public defender.
- 11 The documents to be provided under the bill include but
- 12 are not limited to copies of police reports, photographs,
- 13 grand jury transcripts, audiotapes, videotapes, transcripts
- 14 of audiotapes or videotapes, audio or video files on storage
- 15 systems, transcripts of such audio or video files on storage
- 16 systems, and reports prepared by the department of human
- 17 services.
- 18 The document requested must be relevant to an investigation
- 19 or legal representation being conducted by the public defender
- 20 or designee.
- 21 Under the bill, when a document is provided on a storage
- 22 system, the agency shall, upon request, include the software
- 23 necessary to access the storage system.